

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: November 8, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2501 (Mr. Jim McCrery of Louisiana)

**Proponent name, location:** BASF Corporation, Florham Park, NJ.

**Other bills on product (109<sup>th</sup> Congress only):** H.R. 1937.

**Nature of bill:** Temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

(2-Methyl[1,1'-biphenyl]-3-yl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropanecarboxylate (Bifenthrin) (CAS No. 82657-04-3) (provided for in subheading 2916.20.50)

**Check one:** ☐ Same as that in bill as introduced.  
☒ Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

The subject product is a synthetic organic chemical used as a broad-spectrum pyrethroid insecticide, miticide, and termiticide on crops such as corn, cotton, soybeans, fruits and vegetables. The product is imported from China.

**Estimated effect on customs revenue:**

HTS subheading: <u>2916.20.50</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$16,500,000	\$16,500,000	\$16,500,000	\$16,500,000	\$16,500,000
Customs revenue loss	\$610,500	\$610,500	\$610,500	\$610,500	\$610,500

Source of estimated dutiable import data: Industry estimates.

<sup>1</sup> Industry analyst preparing report: Jeff Clark (202-205-3318); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
BASF Corporation (proponent) Tom Coleman, 202-289-3900 Greg Thies, 202-904-2332	8/22/2005 9/13/2005 9/22/2005	No	No	No
AtoFina Cerexagri Charles Kitchin, Fax No.: 703-527-2092	8/22/2005	No	No	No
Bayer CropScience Jean Reimers, 202-756-3779	8/22/2005 9/13/2005	No	No	No
Crop Life America Lawrence Norton Fax No.: 202-463-0474	8/22/2005 9/13/2005	No	No	No
Dow/Dow AgroSciences Lisa Schroeter Fax No.: 202-429-3467	8/22/2005 9/13/2005	No	No	No
E. I. du Pont de Nemours and Company Elaine Olsen, 302-992-2263	8/22/2005 9/13/2005	No	No	No
FMC Corp. Jerry Prout, 202-956-5219	8/22/2005 9/13/2005	No	No	No
Griffin Corp. James Whatley Fax No.: 800-248-5154	8/22/2005 9/13/2005	No	No	No
Monsanto Corp. Linda Strachan, 202-383-2849	8/22/2005 9/13/2005	No	No	No
Syngenta Crop Protection Mike Blythe, 336-632-6000	8/22/2005 9/13/2005	No	No	No
Valent BioSciences Corp. Robin Demouth, 925-256-2758	8/22/2005 9/13/2005	No	No	No

**Technical comments:<sup>3</sup>**

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading as it contains the correct HTS classification and the proper chemical name.

<sup>3</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS  
1ST SESSION

# H. R. 2501

To suspend temporarily the duty on Cyclopropanecarboxylic acid, 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-imethyl-, (2-methyl(1,1'-biphenyl)-3-yl)methyl ester, (z)-.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2005

Mr. McCRERY introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on Cyclopropanecarboxylic acid, 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-imethyl-, (2-methyl(1,1'-biphenyl)-3-yl)methyl ester, (z)-.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CYCLOPROPANECARBOXYLIC ACID, 3-(2-**  
4 **CHLORO-3,3,3-TRIFLUORO-1-PROPENYL)-2,2-**  
5 **IMETHYL-, (2-METHYL(1,1'-BIPHENYL)-3-**  
6 **YL)METHYL ESTER, (Z)-.**

7 (a) IN GENERAL.—Subchapter II of chapter 99 of  
8 the Harmonized Tariff Schedule of the United States is

- 1 amended by inserting in numerical sequence the following  
 2 new heading:

“	9902.08.11	Cyclopropanecarboxylic acid, 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-imethyl-, (2-methyl(1,1'-biphenyl)-3-yl)methyl ester, (z)- (CAS No. 82657-04-3) (provided in subheading 3808.10.25) ..	Free	No change	No change	On or before 12/31/2008	”.
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- 3 (b) EFFECTIVE DATE.—The amendment made by  
 4 subsection (a) applies to goods entered, or withdrawn from  
 5 warehouse for consumption, on or after the 15th day after  
 6 the date of the enactment of this Act.

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